REMARKS

The claims have been amended to more clearly define the invention as disclosed in the written description. In particular, claim 1 has been amended for clarity.

The Examiner has rejected claims 1-11, 16 and 17 under 35 U.S.C. 103(a) as being unpatentable over European Patent Application No. EP0752635A1 to Samar.

The Samar patent discloses a system and method to transparently integrate private key operations from a smart card with host-based encryption services, in which a computer 101 having a smart card reader 121 and an associated smart card 123 is connectable over a network 115 to a remote computer 119 or a terminal 117 each having a smart card reader 121 and optionally an associated smart card 123. If the user of the computer 101 has a smart card 123 and inserts the same into the reader 121, the computer 101 enables the transmission of messages encrypted in accordance with the contents of the smart card 123. If no smart card is inserted, the computer 101 enables the transmission of messages encrypted in accordance with the contents of a user information file 127 and encryption services 129.

The subject invention relates to the transmission and reception of encrypted signals in, for example, a cable television system. In particular, at a headend, the cable provider encrypts a first signal in accordance with a first encryption scheme, and

encrypts a second signal in accordance with a second encryption scheme. The cable provider then transmits both encrypted first and second signals. This is shown in Fig. 5, and in the specification on page 12, lines 10-13, where it is stated that the transmission station continually transmits the encrypted first and second signals.

In the current Office Action, the Examiner states "Thus, the crux of the novelty is the signals being transmitted 'at the same time.' Nevertheless, this is not reflected in the claims."

Claim 1 originally stated "a receiver for receiving transmissions of the at least first signal and second signal". While Applicants believe that this limitation sufficiently conveys that the first and second signals are being received at the same time, Applicants have nonetheless amended claim 1 such that this limitation now reads "a receiver for receiving transmission of the at least first signal and second signal at the same time".

Applicants submit that Samar neither discloses or suggests that both a first encrypted signal and a second encrypted signal are transmitted/received at the same time. Rather, communication between the computer 101 and the remote computer 119, the respective configurations are determined (smartcard present or not present), and the encryption schemes being used are dependent on the respective configuration. Hence, only a signal capable of being decrypted by the recipient computer is sent to that computer.

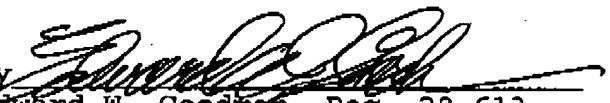
Claim 16 discloses encrypted transmissions of at least one signal, the first conditional access module only being able to decrypt a portion of the at least one signal which may then correspond to a first signal, and the second conditional access module being able to decrypt the whole of the at least one signal, which may then correspond to a second signal.

Again, with regard to Samar, the encryption scheme being used to encrypt a signal being sent to the computer already takes into consideration whether or not the computer has a smartcard inserted therein. At no time does Samar disclose or suggest the transmission and reception of a signal in which a first conditional access module is only able to decrypt a portion of the signal, while the second removable conditional access module is able to decrypt the whole of the signal.

In view of the above, Applicants believe that the subject invention, as claimed, is not rendered obvious by the prior art, and as such, is patentable thereover.

Applicants believe that this application, containing claims 1-11, 16 and 17, claims 12-15 having been withdrawn, is now in condition for allowance and such action is respectfully requested.

Respectfully submitted,

by 
Edward W. Goodman, Reg. 28,613
Attorney
Tel.: 914-333-9611